



General Assembly

Substitute Bill No. 5251

February Session, 2002

***AN ACT CONCERNING WELL DRILLERS, PHARMACISTS,
ELECTRONIC SHELF-PRICE LABELING, HEALTH CLUBS, THE
LIQUOR CONTROL ACT, BUILDING PERMITS FOR
TRADESPERSONS, HOME IMPROVEMENT BONDS, LEMON LAW
FUNDING AND SHORTHAND REPORTERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-428 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 This chapter shall not apply to any of the following persons or
4 organizations: (1) The government of the state, municipalities of the
5 state or any department or agency of the state or such municipalities;
6 (2) the government of the United States or any of its departments or
7 agencies; (3) any school, public or private, offering as part of a
8 vocational education program courses and training in any aspect of
9 home improvements; and (4) any person holding a current
10 professional or occupational license issued pursuant to the general
11 statutes, and any person registered pursuant to sections 25-126 to 25-
12 137, inclusive, provided such person engages only in that work for
13 which [he] such person is licensed or registered.

14 Sec. 2. Subsection (a) of section 20-590 of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective*
16 *October 1, 2002*):

17 (a) The department shall, upon authorization of the commission,
18 issue a license to practice pharmacy as a pharmacist to any individual
19 provided the individual:

20 (1) Has submitted a written application on a form approved by the
21 department;

22 (2) Has graduated from [and received the entry-level professional
23 pharmacy degree from] a college or school of pharmacy approved by
24 the commission with a degree that was, at the time of graduation, an
25 entry level professional pharmacy degree;

26 (3) Has the professional experience as a pharmacy intern required
27 by regulations adopted by the commissioner, with the advice and
28 assistance of the commission, in accordance with chapter 54;

29 (4) Has successfully passed the examination described under
30 subsection (b) of this section;

31 (5) Is eighteen years of age or older at the time of the examination;
32 and

33 (6) Has paid the examination fee specified in section 20-601.

34 Sec. 3. Subsection (b) of section 21a-79 of the general statutes, as
35 amended by section 1 of public act 01-73, is repealed and the following
36 is substituted in lieu thereof (*Effective October 1, 2002*):

37 (b) (1) (A) Any person, firm, partnership, association or corporation
38 that utilizes universal product coding in totaling a retail customer's
39 purchases shall mark or cause to be marked each consumer
40 commodity [which] that bears a Universal Product Code with its retail
41 price.

42 (B) Any person, firm, partnership, association or corporation that
43 utilizes an electronic pricing system in totaling a retail consumer's
44 purchases shall provide each consumer with an item-by-item digital
45 display, plainly visible to the consumer as each universal pricing code

46 is scanned, of the price of each consumer commodity or carbonated
47 soft drink container, or both, selected for purchase by such consumer
48 prior to accepting payment from such consumer for such commodity
49 or container. The provisions of this subparagraph do not apply to any
50 person, firm, partnership, association or corporation operating in a
51 retail sales area of not more than ten thousand square feet.

52 (2) The provisions of subparagraph (A) of subdivision (1) of this
53 subsection shall not apply if: (A) The Commissioner of Consumer
54 Protection, by regulation, allows for the utilization of electronic shelf
55 labeling systems; (B) a retailer is granted approval to utilize an
56 electronic shelf labeling system by the commissioner; [and] (C) the
57 retailer has demonstrated to the satisfaction of the commissioner that
58 such electronic shelf labeling system is supported by an electronic
59 pricing system [which] that utilizes universal product coding in
60 totaling a retail customer's purchases; and (D) the retailer has received
61 approval for such an electronic pricing system by the commissioner,
62 and has received permission by the commissioner to suspend
63 implementation of the system for a period not to exceed thirty days in
64 order to reset, remodel, repair or otherwise modify the electronic shelf
65 labeling system at the retail establishment.

66 (3) Consumer commodities that are advertised in a publicly-
67 circulated printed form as being offered for sale at a reduced price for
68 a minimum seven-day period need not be individually marked at such
69 reduced retail price, provided such consumer commodities are
70 individually marked with their regular retail price and a conspicuous
71 sign is adjacent to such consumer commodities, which sign discloses:
72 (A) The reduced retail price and its unit price; and (B) a statement that
73 the item will be electronically priced at the reduced price by the
74 cashier.

75 (4) If a consumer commodity is offered for sale at a reduced price, in
76 accordance with subdivision (3) of this subsection and its electronic
77 price is higher than the reduced price on the sign [which] that is
78 adjacent to the consumer commodity, then one item of such consumer

79 commodity shall be given to the consumer upon demand at no cost. A
80 conspicuous sign shall adequately disclose to the consumer that in the
81 event the electronic price is higher than the reduced retail price, one
82 item of such consumer commodity shall be given to the customer upon
83 demand at no cost.

84 Sec. 4. Subsection (e) of section 21a-226 of the general statutes is
85 repealed and the following is substituted in lieu thereof (*Effective*
86 *October 1, 2002*):

87 (e) The commissioner shall provide forms for applications by buyers
88 for payment from the guaranty fund. The application shall include the
89 name and address of the health club, the beginning and ending date of
90 the contract, the price of the contract, the date of the closing of the
91 health club, the amount and the basis of the claim and a copy of the
92 contract or other proof of membership deemed suitable by the
93 commissioner. No application for a payment from the guaranty fund
94 shall be accepted by the commissioner more than six months after the
95 date of the closing of the location of the health club where the buyer
96 entered into the contract.

97 Sec. 5. Section 30-59a of the general statutes is repealed and the
98 following is substituted in lieu thereof (*Effective October 1, 2002*):

99 The Department of Consumer Protection [shall] may, upon notice
100 from the Division of Special Revenue of the name and address of any
101 person who has had [his] a license suspended or revoked by the
102 Gaming Policy Board or the executive director of the Division of
103 Special Revenue, suspend the permit of such person until such license
104 has been restored to such person. The Department of Consumer
105 Protection shall notify the Division of Special Revenue of the name and
106 address of any permittee or backer whose permit has been suspended
107 or revoked.

108 Sec. 6. (NEW) (*Effective October 1, 2002*) No person licensed pursuant
109 to sections 20-330 to 20-341, inclusive, of the general statutes, as
110 amended, shall commence work within the scope of sections 20-330 to

111 20-341, inclusive, of the general statutes, as amended, unless each
112 applicable permit with respect to the specific work being performed by
113 such licensee has been obtained as required pursuant to local
114 ordinances and the general statutes.

115 Sec. 7. Subsection (c) of section 20-426a of the general statutes is
116 repealed and the following is substituted in lieu thereof (*Effective*
117 *October 1, 2002*):

118 (c) Such bond shall be in such form as the commissioner may
119 require and shall be in the amount of [ten] fifteen thousand dollars.
120 The commissioner may require the contractor to provide from time to
121 time proof that the bond is in full force and effect.

122 Sec. 8. Subsections (a) and (b) of section 23 of public act 01-9 of the
123 June special session are repealed and the following is substituted in
124 lieu thereof (*Effective October 1, 2002*):

125 (a) A new automobile warranties account surcharge is hereby
126 imposed on the sale or lease of each new [passenger vehicle or
127 motorcycle sold] motor vehicle, as defined in section 42-179, sold or
128 leased in this state by any person licensed to offer such vehicles for sale
129 under section 14-52. Such surcharge shall be in addition to any tax
130 otherwise applicable to any such sales transaction.

131 (b) The surcharge assessed pursuant to this section shall be at a rate
132 of three dollars per [passenger vehicle or motorcycle] motor vehicle, as
133 defined in section 42-179. Such surcharge shall be collected by each
134 licensee under section 14-52 engaged in [new passenger vehicle or
135 motorcycle sales] the sale or lease of motor vehicles, as defined in
136 section 42-179, in this state.

137 Sec. 9. Subsection (a) of section 20-654 of the general statutes is
138 repealed and the following is substituted in lieu thereof (*Effective*
139 *October 1, 2002*):

140 (a) No person shall receive a license under the provisions of sections

141 20-650 to 20-656, inclusive, until such person has passed an
142 examination which shall be substantially similar to the examination of
143 the National Court Reporters Association, [or demonstrates to the
144 satisfaction of the board that such person has actively engaged in the
145 practice of shorthand reporting in this state before October 1, 1997,] or
146 has submitted evidence satisfactory to the board that such person is a
147 Registered Professional Reporter of the National Court Reporters
148 Association or its equivalent.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>
Sec. 2	<i>October 1, 2002</i>
Sec. 3	<i>October 1, 2002</i>
Sec. 4	<i>October 1, 2002</i>
Sec. 5	<i>October 1, 2002</i>
Sec. 6	<i>October 1, 2002</i>
Sec. 7	<i>October 1, 2002</i>
Sec. 8	<i>October 1, 2002</i>
Sec. 9	<i>October 1, 2002</i>

Statement of Legislative Commissioners:

In section 8, subsection (b) was added and conforming changes were made to said subsection for consistency with subsection (a).

GL *Joint Favorable Subst.*

TRA *Joint Favorable*